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Attorney for Plaintiffs  
Andrew Claudio, Jay Katz and  
Allen Schneider

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
SOUTHERN DIVISION

ANDREW CLAUDIO, JAY KATZ AND  
ALLEN SCHNEIDER, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

CITICORP TRUST BANK, FSB,

Defendant.

Case No. 09-CV-01935-KJD-RJJ

**~~PROPOSED~~ ORDER AND  
JUDGMENT GRANTING MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: March 22, 2011

Time: 9:00 a.m.

Courtroom: LV 6D

Judge: Hon. Kent J. Dawson

1 WHEREAS, this matter came on for hearing on March 22, 2011 at 9:00 a.m. in  
2 Courtroom 6D of the above-captioned court on Plaintiffs' Motion for Final Approval of  
3 Class Action Settlement; and

4 WHEREAS, Plaintiffs Andrew Claudio, Jay Katz and Allen Schneider have  
5 applied to this Court for an order finally approving the settlement of this action in  
6 accordance with the Joint Stipulation of Settlement and Release ("the Settlement") which,  
7 together with the exhibits annexed thereto, sets forth the terms and conditions for a  
8 proposed settlement; and the Court having read and considered the Settlement and the  
9 exhibits annexed thereto, and having found it fair, reasonable, adequate and in the best  
interests of the class;

10 NOW, THEREFORE, IT IS HEREBY ORDERED:

11 1. This Order incorporates by reference the definitions in the Settlement, and  
12 all terms defined therein shall have the same meaning in this Order as set forth in the  
13 Settlement;

14 2. Plaintiffs' Motion for Final Approval of the Class Action Settlement is  
15 Granted;

16 3. Settlement proceeds of up to \$670,000 shall be distributed in accordance  
17 with the formulas set forth in the Settlement and the Notice to Class Members approved  
18 by the Court on September 14, 2010;

19 4. Class Counsel's request for attorney's fees in the amount of \$167,500 is  
20 Granted;

21 5. Class Counsel's request for costs in the amount of \$9,670.16 is Granted;

22 6. The request for enhancement fee to Plaintiffs Andrew Claudio and Jay Katz  
23 in the amount of \$30,000 each is Granted;

24 7. The request for enhancement fee to Plaintiff Allen Schneider in the amount  
25 of \$20,000 is Granted;

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This Court finds that there is no just reason for delay and expressly directs Judgment and immediate entry by the Clerk of the Court. The time to appeal from this Judgment shall run from the entry of this Order.

Handwritten signature: *Handwritten signature*

HONORABLE KENT J. DAWSON

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of March, 2011, I served a true and correct copy of  
“[PROPOSED] ORDER AND JUDGMENT GRANTING MOTION FOR FINAL  
APPROVAL” by:

  X   serving the following parties electronically through CM/ECF as set forth below;

       faxing a copy to the numbers below;

       depositing a copy in the United States mail, first class postage fully prepaid to the  
persons and addresses listed below:

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          /s/ Elaine Eubanks            
An Employee of Mark R.Thierman, P.C.